

**OSHTEMO CHARTER TOWNSHIP PLANNING COMMISSION**

**MINUTES OF MEETING HELD THURSDAY, July 24, 1997**

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**AGENDA**

**TEXT AMENDMENT - 9th Street Focus Area Overlay Zone Draft #2**

**TEXT AMENDMENT - "I-R" District Draft #1**

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A regular meeting of the Oshtemo Township Planning Commission was conducted Thursday, July 24, 1997, commencing at 7:00 pm at the Oshtemo Township Hall.

Members Present:        Wilfred Dennie, Chairman  
                                  Marvin Block  
                                  Ted Corakis  
                                  Ken Heisig  
                                  Millard Loy  
                                  C. Lara Meeuwse

Members Absent:        Libby Heiny-Cogswell

Also present was Ms. Rebecca Harvey, of the Planning and Zoning Department, and approximately 100 other interested persons.

**CALL TO ORDER**

The Chairperson called the meeting to order at 7:12 PM.

**APPROVAL OF AGENDA**

Mr. Block moved to approve the agenda. Mr. Loy seconded the motion. The motion carried unanimously.

**APPROVAL OF MINUTES**

The Board considered the minutes of the meeting of July 10, 1997. Changes made: page 3, 3rd paragraph, add "of Village Focus Area" in the 3rd sentence following the words "from discussion" and in that same sentence change the word "might" to "could". Page 4, 2nd line from the top, change "the" after "that" to "she"; in the 2nd full paragraph on that same page delete 2nd "expansion of" in the 2nd sentence; and in the 3rd full paragraph, delete "in many ways" at the end of the 5th sentence. On page 6, 2nd paragraph under "OAK PARK #1" agenda item, delete the duplicate "had" in the 2nd sentence. Mr. Loy moved to approve the revised minutes, and Mr. Heisig seconded the motion. The motion carried unanimously.

### **TEXT AMENDMENT - 9th Street Focus Area Overlay Zone**

The Chairperson provided background on the 9th Street Focus Area Development Plan and stated that the report provides a framework for decision making for managing growth that could occur in this area. The implementation tools referenced in the Plan includes (1) PUD (examples include Woodbridge or Parkview Hills) and the (2) Open Space Community development option that includes leaving 40% of the site as open space. The Chairperson continued by stating that three (3) rezoning requests in this area had come before the Planning Commission recently, two of which had been denied and one request had been withdrawn. The Planning Commission felt this overlay zone offered a response to the interest in office use within the area without application of the "R-3" District.

The Chairperson asked if the Planning Department had any comments and Ms. Harvey responded that this draft includes the list that the Planning Commission had requested for building sizes of existing offices within the Township ranging from 10,000-15,000 sq. ft. in area. Mr. Heisig commented that the list was very helpful to him and he reminded us that Township legal counsel, when we reviewed Draft #1, had advised that designated areas should not be identified in the ordinance. The Chairperson then reviewed the list of examples with the members. Mr. Corakis wondered if we could increase the building size to 15,000 sq. ft. for a medical facility. The Commission discussed that more than one building could be constructed on one piece of property, lot size permitting, and the possibility of connecting these buildings in some way. Another aspect to connected buildings is that they then might be considered one structure. Mr. Block indicated that it would be better to keep separate buildings in order to retain the character of the area. Mr. Heisig stated that at whatever square footage we drew the line, there would always be a challenge to it and he agreed with Mr. Block to keep the buildings separate. The Chairperson stated the reason the Commission considered the R-3 as part of the overlay zone is that it allows 10,000 sq. ft. and is a low density type of zone. He continued by stating that rezoning to R-3 lacked the opportunity for shared and compatible site design. Mr. Heisig stated that consistency with the R-3 made him favor retaining the 10,000 sq. ft. as outlined in this draft. Mr. Block concurred.

For Section 50.300 (a) no changes were made; Ms. Harvey commented that the 2nd paragraph of this section is similar in wording to the PUD and the "CR" ordinances.

(b) the Chairperson drew attention to the interior street system so that West Main could continue to function as it was designed: move traffic. Ms. Harvey reminded us that the interior street could be private or public, we simply provide parameters for that system. Access management is embedded in the 9th St. development plan.

(c) roads would be constructed according to Road Commission standards.

(d) consider building siting so as to recognize the natural features of a site; setback standards apply as if it were a public road. However, if it is a service road, 15' setbacks would be allowed.

(e) the Chairperson stated that one should be able to drive from one parcel to another instead of having to use the street system; Ms. Harvey stated that this encourages cross-parking and requires cross-access.

(f) - (j) no changes and no comments

(k) no change. The Commission agreed that it should read "gross floor" area instead of "total" area.

(m) would be expanded to items (1) - (5); similar to the open space ordinance. (m) - (1) no change; (m) - (2) the objective of the Commission is to encourage open space planning but we need to obtain Township legal counsel opinion on the impact of this as it could be construed to mean use of private property by the public; the remaining points had no changes.

(n) make it consistent with the R-3 signage and the sign permit ordinances.

Section 50.400 was expanded to reflect 82.800. In subsection F, Ms. Harvey suggested we remove the terms "recreation" and "access"; this paragraph was taken from the Open Space Ordinance but because there is such small area (5%) designated as open space in the Overlay Zone these terms are not necessary.

Section 50.500 states that all site reviews for the Overlay Zone will be performed by the Planning Commission and the process as listed in 82.000 would apply.

The Chairperson stated he would entertain some comments (for the next 15 minutes) from the audience on the proposed text, even though this was a work meeting and not a public hearing.

Mr. James Herweg, 25446 CR #653, stated that the square footage of the building was not the only thing that determined compatibility and wanted the Commission to consider more flexibility in building size, such as 15,000 sq. ft.

Mr. Ed Sharp, 379 W. Drake Circle, apologized to the attendees from Country Club Village in that he thought this would be a public hearing. Mr. Sharp thought we would be designating where the overlay zone would be placed and the Chairperson answered that we would be discussing this later on. Mr. Sharp proceeded to turn in additional petitions numbered sheets 38-41 and 46-53 which now brings the signatures of interested Township residents to 250. He continued to state that they were asking for a multiple study to be done to see the impact of these changes on their Village and asked if any action had been instigated to initiate an impact study. Ms. Harvey stated that the study involving the impact had already been done and was embodied in the 9th St. Focus Development Plan. Mr. Sharp then presented their crime impact chart based on information obtained from the Sheriff's Department for the period of January 1 - May 1...there were 245 pins on that chart. In the first 4 months, the Country Club Village had "0" incidents, Visser's plat had 2, while Meijers and "mixes" of offices and multiple dwellings' areas had high rates of incidences. Hence, their concern about the increase in crime rate as the area develops. He stated he would like copies of the impact studies from the 9th St. Focus Area. He also stated that he realizes we cannot deny property owners access and he wondered how we would accomplish our plan if one piece is developed at a time. The Chairperson stated that this was accomplished through site plan review where future accesses could be planned. Mr. Sharp, in closing, asked the Commission to incorporate "and maintain with good forestry practice" to Section 50.300(m)(3).

The Planning Commission took a short break and reconvened at 9:02 PM.

The Chairperson asked if the Commission members had any objections to adding the wording "good management practices" to Section 50.300(m)(3) and no one did. He also said we could discuss further the building size standard at our next work meeting which was set for August 14, 1997.

It was noted that the Planning Commission would also use the August 14 work session to discuss and reach agreement on the placement of the overlay zone.

#### **TEXT AMENDMENT - "I-R" District**

The Planning Commission received Draft #1 for the "I-R" District. The Chairperson stated that the office industrial park does not include retail as the primary use although it is acceptable as incidental to the primary use. Mr. Schramm stated that the ordinance does not meet his specific needs. Ms. Harvey reminded the Board of the direction provided at the previous meeting to be incorporated into Draft #1,

that we did discuss allowing offices in an industrial zone but only as part of an industrial/office park. The Commission had also noted concern regarding a park of 'purely' office uses. The Board had also noted support for the industrial/office park use included as a 'permitted use' within the "I-R" District and as a 'Special Exception Use' within the "I-1 District". A 10 acre project size minimum was also suggested. Further, the Board had directed staff to prepare Draft #1 using the East Lansing Ordinance language as an example.

The Commission then reviewed the Draft #1- Section 40.209/Section 41.404 and commented as follows:

Subsection (a)-(2): Mr. Corakis stated he would like to allow any kind of office

Subsection (b): Mr. Corakis and Mr. Heisig wondered why we required 10 acres. The applicant also questioned the acreage.

Subsection (c) it was noted to change the section number in the paragraph to 67.000.

Subsection (e): there was discussion about the rationale for a reduced parking space requirement per square footage as compared to 68.000.

Subsection (h): add "...as measured from ..... " to 40 ft. in height wording.

Subsection (i)-(1) use "topography" instead of "natural terrain"; (3) change to read "improved area shall be landscaped"; (4) change "yard area" to "improved area and remove "...not.."

Subsection (k): The Chairperson said the plan did not have to be elaborate but to consider inclusion of the natural features.

The Chairperson asked the applicant why he made the statement earlier that the ordinance didn't meet his needs. The applicant stated it was because all of his parcels are smaller than 10 acres. The Chairperson stated that if two parcels were combined, would he then have a 10 acre site? The applicant said yes.

The Chairperson said the Commission would work on draft #2 at our August 14 work session to decide whether to keep "Office Industrial Park" term and to define it; determine site size, parking ratios, setback standards, and where the height of the building is to be measured from; use standard industrial district language for Subsection (l) and to expand on Subsections (l) - (o).

### **OTHER BUSINESS**

The Chairperson stated that for the special meeting called for July 31 was to handle a request for temporary land use regarding a car show at Maple Hill Mall.

Regarding the Communications Tower Ordinance, Mr. Block suggested we all tour the tower on West Michigan Ave. to help us better understand the ordinance. It was decided that our meeting on July 31 would commence at the communications tower site at 6 PM.

### **ADJOURNMENT**

There being no further business, the meeting was adjourned at 10:50 PM.

OSHTEMO CHARTER TOWNSHIP  
PLANNING COMMISSION

By: Lara Meeuwse  
Lara Meeuwse, Secretary

Minutes prepared:

7/31/97

Minutes approved:

8-14-97

AGENDA: \_\_\_\_\_

DATE: July 24, 1997

MINUTES: Planning Commission

SENT: September 2, 1997

ZBA

- Lara M.
- Dave B.
- Bill S.
- Brian
- Tom B.

PEOPLE

Richard Schramm  
2001 South 4th Street  
Kalamazoo, MI 49009

Home Builders Association  
5700 West Michigan  
Kalamazoo, MI 49009

PC

- Libby
- Marvin
- Lara
- Ken H.
- Millard
- Ted C.
- Wilfred

8-14-97

Oshtemo Business Association  
P.O. Box 1  
Oshtemo, MI 49077

McGraw-Hill/F.W. Dodge  
4000 Portage Road  
Kalamazoo, MI 49001

TB

- Fred
- Dave B.
- Marvin
- Norm

OFFICE

- Becky
- Bob
- Marci
- Lois
- Ron
- ~~Ken~~ Ken
- Jim
- \_\_\_\_ Attorney's
- \_\_\_\_ Index
- Elaine

- Total
- Mike
- Kathy
- Tobey



7275 W. MAIN STREET, KALAMAZOO, MI 49009-9334  
616-375-4260 FAX 375-7180 TDD 375-7198

## NOTICE

### OSHTEMO TOWNSHIP PLANNING COMMISSION MEETING

July 24, 1997  
7:00 p.m.

### AGENDA

1. Call to Order
2. Approval of Agenda
3. Approval of Minutes  
- July 10, 1997
4. Text Amendment - 9th Street Focus Area Overlay Zone  
: Board Review - Draft #2
5. Text Amendment - "I-R" District  
: *Tabled from June 12, 1997 Planning Commission Meeting*  
  
Consideration of the application of Richard Schramm to amend Section 40 of the Township Zoning Ordinance to add the following as permitted uses within the "I-R" District: offices and office buildings; wholesale sales of services and merchandise; central facilities for retail sales of services and merchandise; limited on-site retail sales of services and merchandise as a secondary use (the primary use shall be another permitted use or a combination of other permitted uses).
6. Other Business
7. Adjourn

**\*\* SCHEDULE OUTLINE**

**August 12, 1997 Township Board Meeting**

- : Rezoning - Corakis (Set for 1st Reading)
- : Text Amendment - Neighborhood Commercial (Set for 1st Reading)

**July 24, 1997 Planning Commission Meeting**

- : Special Exception Use Amendment - Woodland Estates

Draft #2  
July 24, 1997

**Section 50.000**  
9th Street Focus Area Overlay Zone

**50.100 - Statement of Purpose**

This overlay zone is designed to allow for office development along the West Main and KL Avenue corridors within the 9th Street Focus Area in concert with the goals and objectives of the 9th Street Focus Area Development Plan.

**50.200 - Permitted Uses**

50.201 - Office buildings, including medical clinics and doctor's offices for the treatment of human beings, subject to the following conditions and limitations:

- a) No such building shall be more than 25 feet in height at its highest point as measured from the grade of the
- b) No such building shall exceed 10,000 sq ft of gross floor area.
- c) Any such building shall be compatible in exterior design with the character of the surrounding land use.

50.202 - Accessory buildings and uses customarily incidental to the foregoing.

**50.300 - Design Standards**

a) To encourage flexibility and creativity consistent with the objectives of the 9th Street Focus Area Development Plan, the Planning Commission may grant specific deviations from the dimensional requirements set forth in Section 66.201. Any dimensional deviation shall be approved through a finding by the Planning Commission that the deviation meets the purpose of the 9th Street Focus Area Development Plan and Overlay Zone. Such a dimensional deviation is not subject to variance approval by the Zoning Board of Appeals.

The minimum parcel, lot, or building site area, frontage, and width shall not be reduced more than 10 percent below that required by Section 66.201.

b) Development within the 9th Street Focus Area Overlay Zone shall be serviced by an

interior street system designed in compliance with the Street System Design Guidelines established in the 9th Street Focus Area Development Plan.

No use within the Overlay Zone shall gain direct access from a public road network except in compliance with the 9th Street Focus Area Development Plan.

- c) All two-way interior streets within the Overlay Zone shall have a paved driving surface with a minimum width of 24 feet, exclusive of parking area. All one-way interior streets within the Overlay Zone shall have a minimum width of 15 feet, exclusive of parking area.

Interior street systems shall comply with the access management guidelines set forth in the Access Management Plan and Section 67.000, Zoning Ordinance.

- d) Buildings shall be located in compliance with setback standards established by Section 64.000 and shall be oriented in consideration of the interior street system and existing natural features on the site.

There shall be a 15 ft building setback requirement from the interior street system except where a greater setback is required by Section 64.000.

- e) Required off-street parking shall be located in compliance with building setback requirements and designed in recognition of the area's topography and natural features.

Parking layouts shall be designed to accommodate cross-access arrangements and facilitate pedestrian travel. Cross-parking arrangements will be encouraged.

- f) Nonmotorized vehicular travel routes shall be incorporated into site designs and located to allow for extension of and/or connection with similar travel routes on adjacent properties.

- g) Interior parking lot landscaping shall be provided to enhance the visual environment, promote public safety, moderate local climatic effects, and minimize noise and glare.

A minimum of 10% of the paved parking area shall be used for interior parking lot landscaping.

- h) Exterior site lighting shall be designed in compliance with the lighting objectives and standards set forth in Section 78.700 and in coordination with other land uses within the immediate 9th Street Focus Area.

- i) Public water and sanitary sewer shall be provided as part of the site development.

All utilities, including telephone, electric, and cable television, shall be placed underground.

- j) The design of storm water management systems shall respond to the natural drainage patterns of the area and be designed in coordination with the groundwater protection standards of Section 67.000, the groundwater protection policies set forth in the Master Land Use Plan, and the 9th Street Focus Area Development Plan.
- k) The site shall be designed to incorporate and/or promote the preservation of natural features and unique physical character. A natural features preservation plan shall be submitted for review/approval. Greenspace enhancement plans for land area along public roads abutting the site shall also be required.
- l) The total area of all such buildings shall not occupy more than 30% of the ground area of the parcel, lot, or building site on which they are located.
- m) Not less than 5% of the site shall be designated as open space and subject to the following standards:
  - 1. Any significant/sensitive environmental resources (e.g., steep slopes, wetlands, woodlands, etc.) shall be included within the designated open space.
  - 2. Designated open space on individual sites shall be arranged so as to form an interconnected open space network across the 9th Street Focus Area.
  - 3. Designated open space shall be retained in an essentially undeveloped or unimproved state to serve the following purposes:
    - a. conservation of land and its resources
    - b. ecological protection
    - c. protect historic and/or scenic features
    - d. shaping and guiding development within the 9th Street Focus Area
    - e. enhancement of values and safety
  - 4. Structures or buildings which are accessory to the designated open space may be erected in accord with the approved site plan. These accessory structures or buildings shall not exceed, in the aggregate, one (1) percent of the designated open space.
  - 5. Designated open space shall be set aside through an irrevocable conveyance approved by the Planning Commission, such as:

- : recorded deed restrictions
- : covenants that run perpetually with the land
- : a conservation easement
- : land trusts

Such conveyances shall assure that the open space is protected from development, *except as approved by the Planning Commission*. Such conveyance shall also:

- : indicate the proposed allowable use(s) of the designated open space;
- : require that the designated open space be maintained by parties who have an ownership interest in the open space;
- : provide standards for scheduled maintenance of the open space;
- : provide for maintenance to be undertaken by the Township in the event that the dedicated open space is inadequately maintained, or is determined by the Township to be a public nuisance, with the assessment of costs upon the open space owner.

n) A sign not exceeding 30 sq ft in area advertising permitted uses rendered or offered upon or from the premises where the same is situated may be established provided that it is located no closer to the front, side, or rear property line than ½ the distance of the required building setback; it has a height no greater than 8 ft above the grade of the abutting street or highway; it in no way constitutes a traffic hazard; and is of a subdued nature commensurate with the character of the neighborhood.

#### **50.400 - Review Criteria**

In considering an application for development within the Overlay Zone, the Planning Commission shall make its determination on the basis of the goals and objectives of the 9th Street Focus Area Development Plan, the Site Plan Review Criteria set forth in Section 82.800, as well as the following standards and criteria:

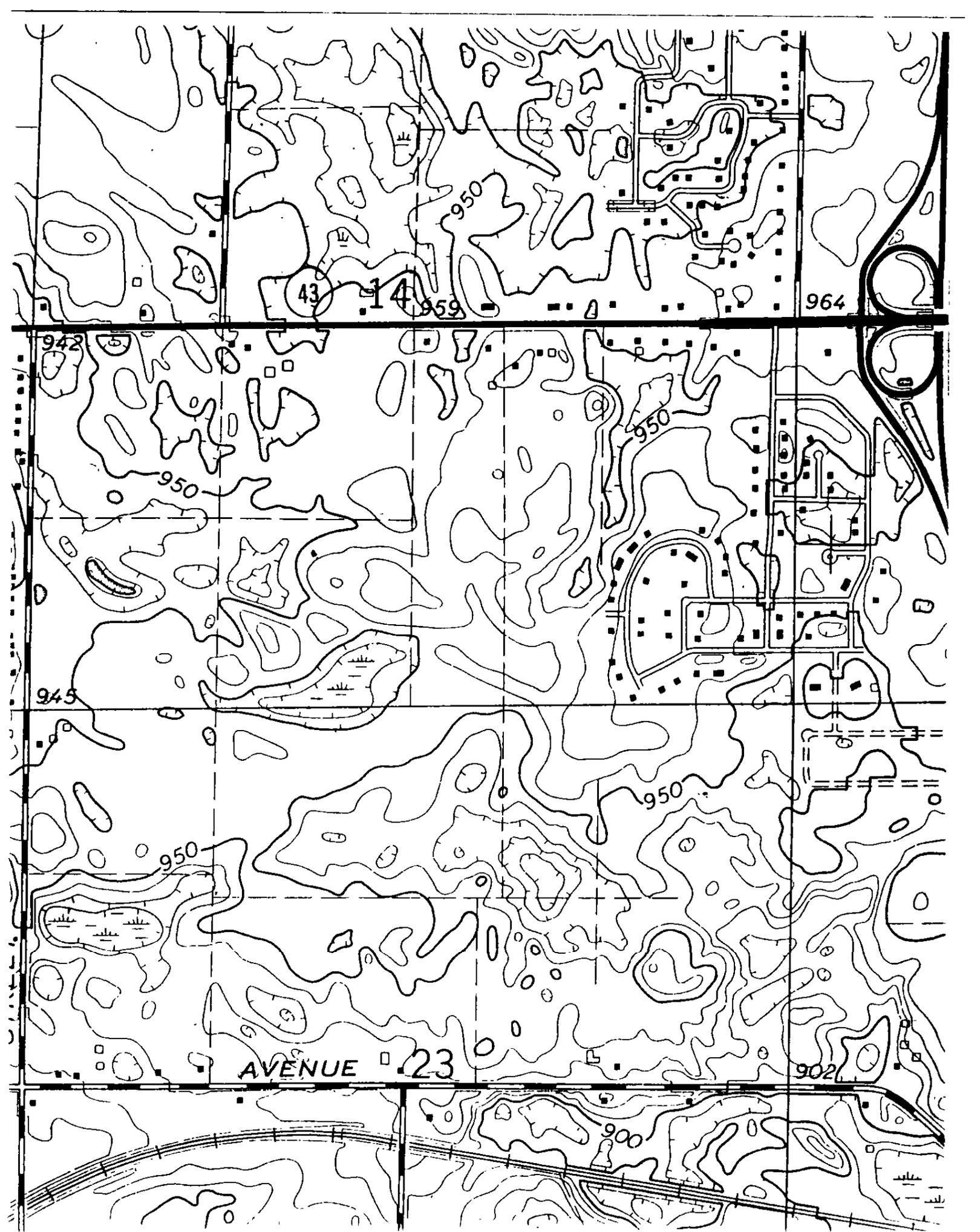
- A. The overall design shall be consistent with the goals and objectives of the 9th Street Focus Area Development Plan and the specific design standards set forth herein.
- B. The proposed use shall be serviced by the necessary public facilities to ensure the public health, safety, and general welfare of the users of the facility and the residents of the surrounding area.
- C. The proposed use shall be designed to minimize the impact of traffic generated by the development on the surrounding land uses and road network.
- D. The proposed use shall be designed so as to be in character with surrounding

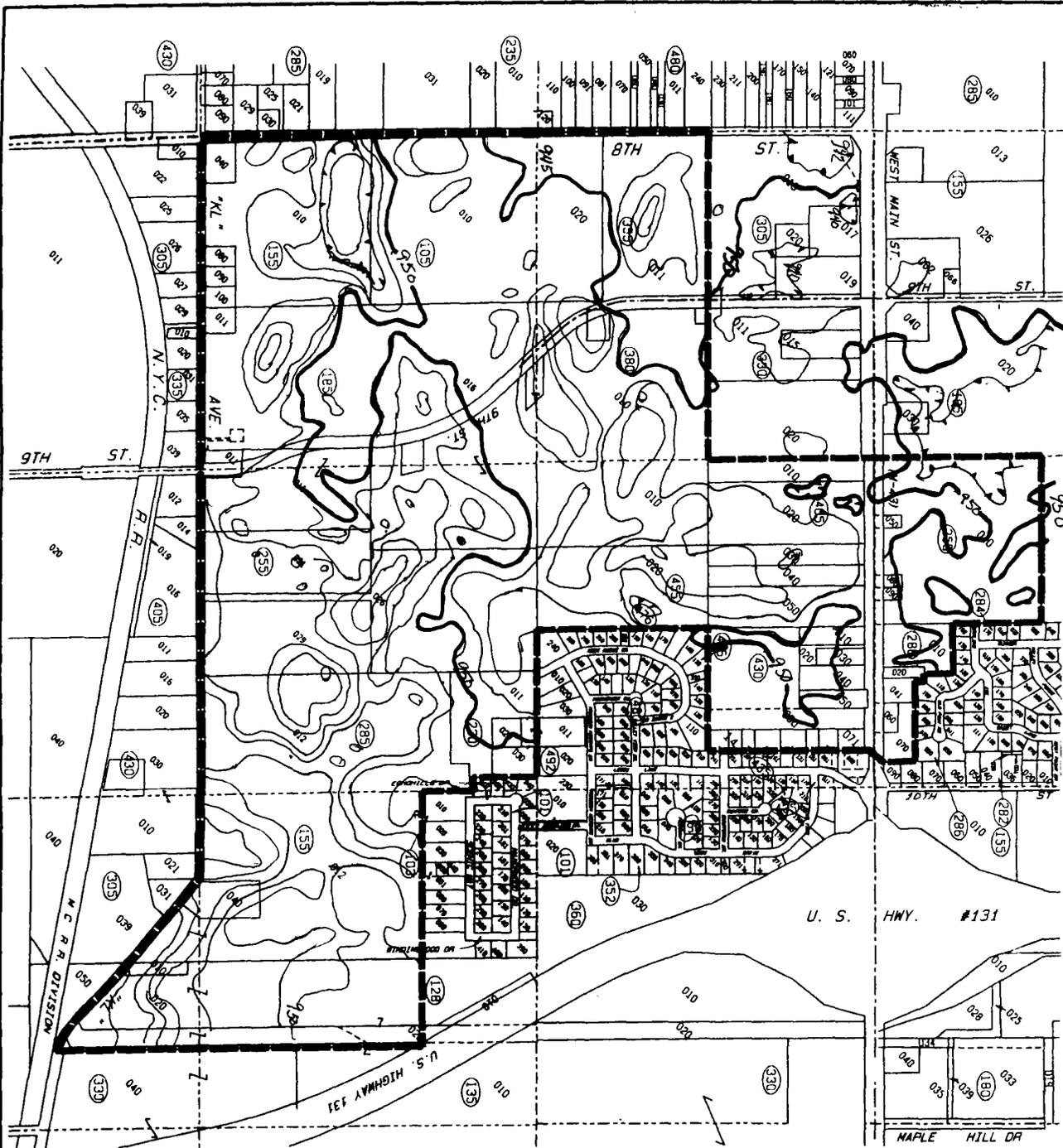
conditions as they relate to bulk and location of structures, pedestrian and vehicular circulation, landscaping, and amenities.

- E. The proposed development shall be designed and constructed so as to preserve the integrity of the existing on- and off-site sensitive and natural environments, including wetlands, woodlands, hillsides, water bodies, and groundwater resources.
- F. The designated open space shall be of functional value as it relates to opportunities for wildlife habitat, woodland preservation, agricultural use, recreation, visual impact, and access.

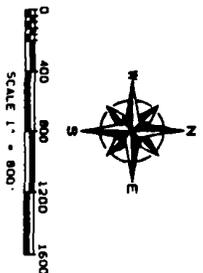
#### **50.500 - Application Procedure/Approval Process**

Application for approval of development under the 9th Street Focus Area Overlay Zone provisions shall be made to the Planning Commission and in accordance with the procedures and guidelines set forth in Section 82.000.





**OSHTEMO TOWNSHIP**  
**STUDY AREA**  
**BASE MAP**



More than 10,000 sq. ft.

Welling, Ripley & Labs 7100 Stadium Drive	25,000 sq. ft.
Chambers Steiner P.C. 7040 Stadium Drive	19,000 sq. ft.
ProSource 5400 West Michigan	19,000 sq. ft.
Oshtemo Library 7265 West Main	17,000 sq. ft.
Rayle / MicroAge 5830 Venture Park	15,000 sq. ft.
Westside Medical (Rear Bldg.) 6565 West Main	15,000 sq. ft.
Gordon Foods 827 N. Drake Road	13,000 sq. ft.
Nulty Agency 5579 Stadium Drive	13,000 sq. ft.
State Farm 6312 Stadium Drive	12,600 sq. ft.
Bigelow Carpet 6619 West Main	12,000 sq. ft.
CRS (Cash Register Sales) 5912 Venture Park	11,700 sq. ft.
Hannapel Home Center 6649 West Main	10,000 sq. ft.
MOE (Michigan Office Equipment) 5770 Venture Park	10,000 sq. ft.
Oshtemo Township Office 7275 West Main	?

Less than 10,000 sq. ft.

Microvane 5708 Venture Park	9,600 sq. ft.
Blackberry Systems 6477 West "KL" Avenue	8,500 sq. ft.
Woodsmith's 1180 South 8th Street	8,500 sq. ft.
Keystone Systems 1560 South 8th Street	7,800 sq. ft.
Auto Trim Design 7178 Stadium Drive	6,500 sq. ft.
Oakridge Feed & Hardware 7035 Stadium Drive	6,500 sq. ft.
McLaughlin Dental Office 5033 West Michigan	6,300 sq. ft.
Crystal Car Wash 6775 West Main	5,740 sq. ft.
A. M. Supply 5194 West Michigan	5,000 sq. ft.
Bronson Properties 3601 South 9th Street	4,500 sq. ft.

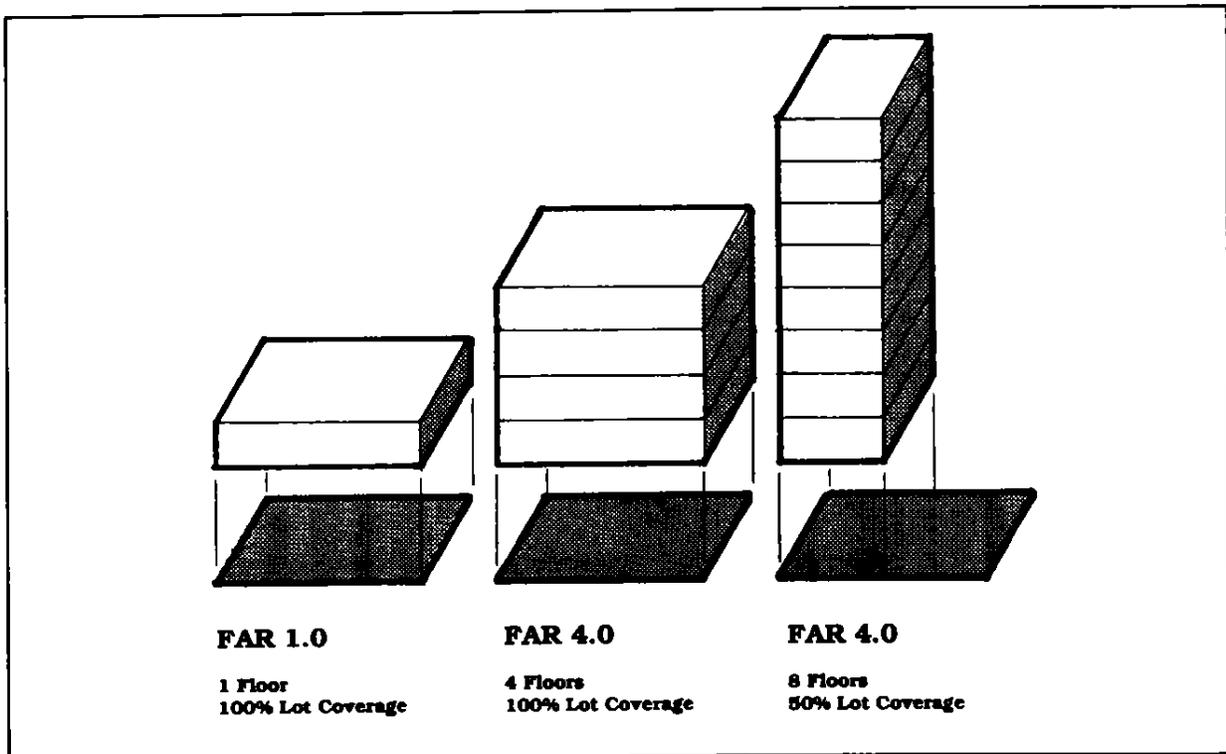
# Floor Area Ratios

## Description

A floor area ratio (FAR) is the maximum square footage of floor area permitted for each square foot of land area. It is represented by the following formula: floor area/lot area. FAR's define the permitted building volume as a multiple of the area of the lot, and allow variable dimensions within that specified volume. For example, a floor area ratio of 1 means that the floor area of a building may equal the lot area. An FAR of 4 means that the floor area may be four times as great as the lot area. This could be a four story building with 100% lot coverage, an eight story building at 50% coverage, and any combination within these parameters.

The spacing and bulk of buildings varies depending on how lot area and floor area are defined. Gross floor area is a better measure of the relationship between the building and the land than net floor area. Net floor area usually does not include basement storage, attic space, parking and loading areas, and uncovered steps and porches. Lot area should refer to the minimum lot area allowed under existing zoning. FAR's are based on the entire lot area, rather than building envelope, and do not guide placement of buildings. Thus, where placement must be regulated, FAR's should be supplemented by other requirements, such as lot coverage, side yards, and setbacks (see Density/Intensity Regulations technique).

Different Floor Area Ratios



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## Floor Area Ratios

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- Legal Basis**
- City or Village Zoning, P.A. 207 of 1921, as amended; MCLA 125.581 et seq.;
  - Township Rural Zoning Act, P.A. 184 of 1943, as amended; MCLA 125.271 et seq.;
  - County Rural Zoning Enabling Act, P.A. 183 of 1943, as amended; MCLA 125.201 et seq.
- Planning Considerations**
- Like conventional density requirements, floor area ratios should be established according to local needs. Appropriate floor area ratios are those which will achieve the desired intensity of use in a district, based on knowledge of the capacity of available public services and facilities and desired community character.
- The FAR technique is most useful for regulating higher bulk districts such as central business districts or other districts which permit office buildings, department stores, hotels, high rise apartments, and districts which combine these elements. It offers few, if any, advantages over conventional zoning in lower density areas. The same is true for industrial uses which are typically only one story high, where floor area is a poor indicator of employment density, and where certain operations (e.g., refineries, grain storage elevators) do not lend themselves to floor area measurements.
- Where square footage may be used to estimate trip generation and parking demands, floor area ratios are an effective way of managing development in accordance with roadway capacity. They also may be manipulated, either through FAR bonuses or by excluding certain uses in floor area measurements, to provide incentives for public services and amenities, such as open space, parks, day care, or affordable housing.
- Resources**
- Floor area ratios should be based on a plan and drafted by an experienced planning professional. Administering floor area ratios requires staff assistance with skills in determining gross floor area.
- Advantages**
- More refined measure of bulk.
  - Allows greater flexibility in architectural design and use of new construction methods than conventional bulk requirements.
  - Applies equally to all types of structures and lot sizes in a given district.
  - A quicker measure of building capacity.
- Disadvantages**
- Does not account for residential occupancy and thus is an imprecise measure of residential density.
  - Difficulty in getting accurate measure of floor area.
- Limitations**
- Is no more effective than conventional bulk requirements for low density and industrial districts.
- References**
- "Floor Area Ratios," **Planning Advisory Service**, Report No. 111, June 1958, Planners Bookstore, 1313 E. 60th St., Chicago, IL 60637-2891, (312)955-8312.
- Williams, Norman, Jr., **American Planning Law: Land Use and the Police Power**, Vol 1, Chapter 37, Chicago: Callaghan & Co., 1974.

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## Floor Area Ratios

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### Case Example

**Name:** Bath Township  
**Location:** Clinton County  
**Population:** 6,387

In 1982, the Township of Bath updated its zoning ordinance in a manner which emphasizes performance standards. The ordinance was the recipient of an MSPO Honor Award in 1984. Performance zoning applies a variety of site-specific measures to better assure land uses and structures are sensitive to environmental considerations and surrounding land uses. A key element employed within the performance standards is the use of FAR's.

Each of the general land use categories allowed within the primary zoning districts are assigned a FAR. The FAR's for all land uses range from 0.05 to 0.5. A minimum allowable FAR of 0.5 permits a 5,000-square foot "base-site area" and can generally be accomplished by up to a maximum three-story building. The ordinance uses "base-site area" as that area of the site excluding public rights-of-way, easements, required buffer yards, and other considerations.

However, the FAR of a particular land use may vary from one zoning district to another. As an example, a retail use in the Development District must comply with a maximum allowable FAR of 0.1, while the same use in the Village Core District must comply with a maximum allowable FAR of 0.3. The FAR generally increases with the intensity character of the zoning district.

The FAR is used in conjunction with open space ratios and other considerations to arrive at the goal of the performance measures and the overall intended development character of the various districts.

For more information contact:  
Carl Steffen, Planning Department  
Bath Charter Township  
14480 Webster Rd.  
Bath, MI 48808  
(517)641-6728

Draft #1  
July 24, 1997

**"I-R" Industrial District, Restricted - Permitted Use**

**"I-1" Industrial District, Manufacturing/Servicing - Special Exception Use**

Section 40.209/Section 41.404

Office Industrial Parks, subject to the following conditions and limitations:

- a) Office Industrial Parks shall be permitted one or more of the following uses:
1. Any permitted use within the "I-R" District;
  2. Corporate headquarters, administrative offices or business or professional offices;
  3. Scientific or medical laboratories, engineering, testing or design facilities, or other theoretical or applied research facilities;
  4. Accessory buildings and uses customarily incidental to the foregoing.

(standard for land use mixture within park?)

- b) The minimum size of an office industrial park shall be 10 acres of contiguous land. The park may consist of one or more parcels under single ownership or owned separately but developed jointly according to a common park development plan.

Under these provisions, development sites within the park may be created either through the platting procedures of the Land Division Act or through the Condominium Act. One or more principal buildings may be placed on a development site.

- c) Access for an industrial office park onto a public road shall be designed in compliance with Section 67.200 through 67.700 and the Master Land Use Plan and Access Management Policies.

Access to individual development sites within the park shall be designed in consideration of the access management guidelines set forth in Section 67.000 and the Access Management Plan.

- d) Sidewalks shall be provided along all adjacent public streets and to each site and principal building within a park.

- e) Off-street parking shall be provided in accordance with Section 68.000, except that the following minimum parking ratios shall apply for uses within a park:

1. Labs/research facilities - 1 pkg spc/500 sq ft gross floor area
2. Assembly uses - 1 pkg spc/500 sq ft gross floor area
3. Office uses - 1 pkg spc/300 sq ft of office work space

Required off-street parking shall be located in compliance with building setbacks and designed in recognition of the area's natural features.

Parking layouts designed to accommodate cross-access and/or cross-parking arrangements and facilitate pedestrian travel will be encouraged.

f) An appropriate number of on-site loading spaces shall be provided for all uses within a park according to the following standards:

1. Loading spaces shall be have a paved surface.
2. Loading spaces shall be located in compliance with building setback standards and designed to minimize their visibility from properties outside of the park.

g) Buildings shall be located in compliance with building setback standards established by Section 64.000.

Buildings shall be setback a minimum of 50 ft from all exterior park boundaries.

The first 20 ft from the right-of-way line shall be maintained as open space unencumbered by structures, sidewalks, or other paved areas, except for ingress or egress.

h) No building shall exceed 4 stories or 40 ft in height.

Total gross floor area for all buildings shall not exceed 40 percent of the area of the individual development site.

Total ground coverage shall not exceed 50 percent of the individual development site.

i) To create a park-like atmosphere, property within the park shall be developed in an attractive manner, visually compatible with adjacent uses. Buildings and site improvements shall be developed in compliance with the following standards:

1. The design and siting of building and other improvements shall complement the natural terrain and significant vegetation.
2. The design of buildings and exterior improvements on each individual development site shall be complementary and compatible to create a unified development image.

3. All yard areas shall be improved with a variety of trees, shrubbery, and ground cover to create attractive natural buffers between adjacent uses and properties.
  4. The placement of sculpture, fountains, and similar yard area improvements is encouraged and will not be subject to setback requirements.
  5. On-site stormwater retention facilities shall be improved to create an attractive appearance.
- j) The design of stormwater management systems shall respond to the natural drainage patterns of the area and be in coordination with the groundwater protection standards of Section 69.000 and the groundwater protection policies set forth in the Master Land Use Plan.
  - k) The office industrial park shall be designed to incorporate and/or promote the preservation of the site's natural features and unique physical characteristics. A natural features preservation plan shall be submitted. Greenspace enhancement plans for land area along public roads abutting and serving the development shall also be required.
  - l) sign
  - m) lighting
  - n) utilities
  - o) Application Procedure/Approval Process

**PEOPLES PETITION**  
**TO**  
**OSHTEMO TOWNSHIP BOARD OF TRUSTEES**  
**OSHTEMO TOWNSHIP PLANNING COMMISSION**  
**OSHTEMO TOWNSHIP ZONING BOARD**

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No.	Date	Name (Voting Signature)	Address (Per Township Register)
1	6/15/97	Michael R. Schroeder	685 CLUBVIEW DR.
2	6-15-97	Kathleen K. Schroeder	685 CLUBVIEW DR
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**PEOPLES PETITION**  
**TO**  
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No.	Date	Name (Voting Signature)	Address (Per Township Register)
1	6/16/97	Barbara Hopley	587 Lodge Lane
2	6/16/97	Janice Frank Blahon	527 Lodge Lane
3	6/16/97	Chris Buehler	413 Lodge Lane
4	6/16/97	Marion Bommerschein	413 Lodge Lane
5	6/17/97	Mary Jambrogi	5926 Fairway Circle
6	6/17/97	Dusan Anjezic	165 Lodge Lane
7	6-17-97	Mark Schaner	320 Lodge Lane
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**PEOPLES PETITION**  
**TO**  
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No.	Date	Name (Voting Signature)	Address (Per Township Register)
1	6-14	Marilyn Elkins	404 Clubview Dr.
2	6-14	Maria Elkins	404 Clubview Dr.
3	6-14	Jean Sharp	533 Club View
4	6-14	Betty Jackson	460 SUNSET Circle
5	6-14	[Signature]	484 Sunrise
6	6-14	Betty DeLaney	484 Sunrise Circle
7	6-15-97	[Signature]	164 Lodge Ln
8	6-15-97	Jeri L. VanBeek	164 Lodge Ln

41

**PEOPLES PETITION**  
**TO**  
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No.	Date	Name (Voting Signature)	Address (Per Township Register)
1	6/12/97	<del>Lawrence R. Milks</del> Lawrence R. Milks	8304 Gibbs Ave.
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**PEOPLES PETITION**  
**TO**  
**OSHTEMO TOWNSHIP BOARD OF TRUSTEES**  
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No.	Date	Name (Voting Signature)	Address (Per Township Register)
1	6/27	Edward J. Williams	5909 Horizon Heights
2	6/27	Vera J. Williams	5909 Horizon Heights
3	6/28	Elizabeth Hayden	297 Clubview
4	6/28	John L. Taylor	138 Echo Hill Dr
5	6/28	Lucy Benjamin	157 Highland
6	6/29	Wynona R. Newsted	368 Clubview Dr.
7	6/29	Bob E. Newsted	332 Clubview Drive
8	6/29	Brenda Woudenberg	332 Clubview

**PEOPLES PETITION**  
**TO**  
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No.	Date	Name (Voting Signature)	Address (Per Township Register)
1	6/24/97	Gary Jerome	376 Lodge Lane
2	6/26/97	Matthew Ingle	321 Lodge Lane
3	<del>6/26/97</del>	<del>Maria Muller</del>	<del>5989 Valley View</del>
4	7/1/97	Van Fitzpatrick	262 Lodge Lane
5	7/1/97	William E. Johnson	6177 Horizon Heights
6	7/1/97	Richard L. Kostecki	6166 Horizon Hts.
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see p. 1

**PEOPLES PETITION**  
**TO**  
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No.	Date	Name (Voting Signature)	Address (Per Township Register)
1	6/23/97	<i>[Signature]</i>	512 LODGE LANE KAL 49009
2	6/23/97	<i>Margaret B. Bridge</i>	512 LODGE LANE KAL 49009
3	7/2/97	<i>Sue White</i>	5968 Valley View 49009
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**PEOPLES PETITION**  
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No.	Date	Name (Voting Signature)	Address (Per Township Register)
1	1/2/97	Susan J. Bartolotta	569 Clubview Dr
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**PEOPLES PETITION**  
**TO**  
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No.	Date	Name (Voting Signature)	Address (Per Township Register)
1	7-3-97	<i>[Handwritten Signature]</i>	152 ClubView Dr. #200 49009
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**PEOPLES PETITION**  
**TO**  
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No.	Date	Name (Voting Signature)	Address (Per Township Register)
1	7/19	Ronald DeYoung	263 Lodge Lane ...
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#52

**PEOPLES PETITION**  
**TO**  
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No.	Date	Name (Voting Signature)	Address (Per Township Register)
1	7-23	Mell Holm	405 CLUBVIEW
2	7-23	Arlene York	5913 MANNAWOOD
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#53

**PEOPLES PETITION**  
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No.	Date	Name (Voting Signature)	Address (Per Township Register)
1	7/24	<i>[Signature]</i>	37 West Ridge Ct.
2	7/24	<i>[Signature]</i>	37 W Ridge Ct
3	7/24	<i>[Signature]</i>	37 W. Ridge Ct
4	7/24	<i>[Signature]</i>	37 W Ridge
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To: The Oshtemo Township Planning Commission

From: Ernst and Herma Breisach  
228 West Ridge Circle

Re: Overlay Zones in the 9th Street Focus Area

Date: 15 July 1997

We have attended a number of the meetings of the Planning Commission that have dealt with the overlay zones. Our concerns have been the same as those of the other residents of the Country Club Village. We wish to preserve a prime quality and value residential area, one well planned and well maintained. The 9th Street Focus Area Land Use Plan had given us assurance and hope that any further development close to our settlement would be in accord with our objectives. And in the main, so have the considerations by members of the Planning Commission during the meetings we attended.

Unfortunately, we cannot be at the meeting on Thursday, 24 July 1997. Yet with this letter we wish to share with you our deep concerns about the ultimate outcome of the overlay zone debate. It would be most regrettable for all of us, property owners in Country Club Village or not, if what has been a highly regarded residential area were diminished in attractiveness and value. We ask that you keep this very much in mind in your up-coming deliberations and decisions and do so by writing into the new overlay zone category sufficient safeguards for residential areas.

We delegated Mr. Ed Sharp to speak for us.

Yours,

*Ernst and Herma Breisach*

Ernst and Herma Breisach

RECEIVED JUL 17 1997

TO: OSHTEMO TOWNSHIP PLANNING COMMISSION  
Oshtemo Town Hall  
7275 West Main St.  
Kalamazoo, MI. 49009-9334

SUBJECT: PROPOSAL FOR "OVERLAY ZONE" EXTENT

In an effort to assist the Oshtemo Township Planning Commission in the development of their proposed "Overlay Zones" along KL Avenue and West Main Street within the 9th Street Focus Area Development Plan we, the Residents of Country Club Village courteously submit the attached options. We believe these options address and comply with the "VISION" of the Focus Plan, and provide the appropriate assurances to the property owners of the major Residential area located within the 9th Street Focus Area, i.e. Country Club Village.

OPTION #1

Maximize Residential and Rural Living atmosphere within 9th Street Focus Area.

CONCEPT:

Establish a uniform depth of "Overlay Zone" which can be developed in accordance with the 9th Street Focus Area Plan along the main Public Highways/Roads within the 9th Street Focus Area as well as in future locations as Oshtemo Township continues to develop.

PROPOSAL:

We propose a depth of one eighth of a mile, (660') from the center line of the public road, based on a standard 66 foot right-of-way, be adopted as an appropriate depth for the proposed "Overlay Zone". The current locations for the Overlay Zones are along West Main Street and along the North side of KL Avenue between 9th Street on the West and Property Parcel 24-128-020 on the East. This could also be easily applied to the East side of 9th Street from KL Avenue to the Property Parcel 14-330-019.

It is noted that Property Parcel 14-430-040 is currently zoned Commercial. Parcel 14-430-030 has also been granted Commercial status. Parcel 14-430-030 is the Consumer Power Land for utility use. There are four adjacent properties in this area on West Main Street, all being the depth of one-eighth of a mile. Parcel 14-288-010 is also of similar depth.

It is further noted that the properties along the Southside of KL Avenue zoned (and many

developed) I-1 have an average depth similar to the recommended depth for the Overlay Zone. Some of these large Industrial Facilities provide visual evidence that the recommended Overlay Zone depth is adequate.

We further propose the Zoning of the land encircled by the proposed "Overlay Zone" on the North, South, and West sides be rezoned to R-1. This Zoning change would encourage the growth and expansion of Single Family homes being built in this desirable residential area. To ensure the R-1 Zoning would be honored, we request the encircled land be excluded/protected from the application of Planned Unit Development. (P.U.D.)

We would propose the Planning Commission firmly apply the concepts of the 9th Street Focus Plan to minimize cutting of existing trees, destruction of the natural flora and fauna and minimize any change to the existing earth contours. Cleaning of the dead wood and trash from the wooded areas are to be encouraged.

**COMMENTS:**

Adoption of the recommended "Overlay Zone" depth of one-eighth of a mile would provide a standard basis which could ease the future development of Oshtemo Township without lengthy and costly debates and delays

As with any of the "Zoning" ordinances, "Special Exceptions" could apply.

This Option #1 does provide sufficient area to incorporate the various commercial, multi-family, offices, etc. to develop as recommended in the 9th Street Focus Area Plan.

NOTE: SEE OPTION #1 LAYOUT ON THE MAP ATTACHED.

OPTION #2:

Provide the Absolute Minimum Protection to Country Club Village Residents while providing the maximum flexibility to the Planning Commission for implementation of the 9th Street Focus Area plan concepts.

CONCEPT:

Provide a clear routing with minimum interruptions of property lines while providing an approximately seven hundred (700') foot wide buffer zone (not yet developed) around the existing properties.

PROPOSAL:

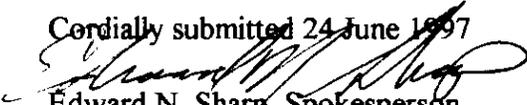
We propose Option #2 provide a "Protective Zone" on the North, West and South sides of the existing Country Club Village boundaries. This "Protective Zone" would generally follow established property Parcel lines. The North Line would be parallel to West Main Street along the South property lines of Parcels 14-430-010,020,040,050 and extend East to Country Club Village and West to the West property line of Parcel 14-405-030. The West boundary would be along the West property line of Parcels 14-405-030,14-455-020,23-255-026 to the North property line of Parcel 23-255-021. The South boundary would be generally parallel to KL Avenue along the North property lines of Parcels 23-255-021,255-229, and would continue directly East across Parcel 23-285-012, and Parcels 24-155-12, 24-330-020 then terminate at the West property line of Parcel 24-128-020.

We further propose the "Protective Zone" adjacent to Country Club Village be rezoned to R-1 and be excluded/protected from the application of Planned Unit Development (P.U.D.). The concepts of the 9th Street Focus Area Plan regarding minimum cutting of existing trees, minimum destruction of flora and fauna and minimum adjustment of existing earth contours must be rigidly encouraged.

COMMENTS:

We believe Option #2 is less desirable than Option #1 as it does not encourage the optimum "Residential" and "Rural" living conditions envisioned in the Focus Plan, but does provide the Planning Commission the maximum amount of "Development Flexibility" with the "understood requirement" that the Planning Commission continues to recommend actions that are in the best interests of the Residents of the 9th Street Focus Area.

Cordially submitted 24 June 1997

  
Edward N. Sharp, Spokesperson